

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

UNITED STATES OF AMERICA,)	
Plaintiff,)	
)	
v.)	Cause No. 4:18-cr-00831 CDP-2
)	
JANA STOWERS,)	
Defendant.)	

**DEFENDANT’S MOTION FOR DOWNWARD VARIANCE AND
NOTICE OF INTENT TO SEEK SENTENCE BELOW
GUIDELINE RANGE**

COMES NOW Defendant, by and through counsel, moves this Honorable Court for a downward variance from the United States Sentencing Guidelines (“USSG”) calculation in the above-captioned cause pursuant to 18 U.S.C. § 3553(a). In support thereof, Defendant offers the following:

1. On December 9, 2019 Defendant pled guilty to the sole count of the indictment in violation of 18 U.S.C. § 2119(3), Carjacking.
2. On March 27, 2020 the final Presentence Investigation Report (“PSR”) was submitted by Probation and Parole determining Defendant’s base offense level to be 43, from the Murder in the First Degree guideline § 2A1.1 of the USSG.
3. Paragraph 84 in Part F of the PSR included factors that may warrant a sentence outside of the advisory guideline system.

4. Paragraph 84 noted Defendant's childhood living with parents who abused alcohol and drugs, physical, verbal, mental and sexual abuse, Defendant's removal from her childhood home by the Illinois Department of Children and Family Services as well as mental health diagnosis and hospitalization as an adolescent among other factors possibly warranting a variance pursuant to 3553(a) factors.
5. Additionally, the PSR notes Defendant's substance abuse history, and limited employment history as possible factors warranting a variance in this cause.

WHEREFORE, because of the foregoing reasons and other factors required to be considered under 18 U.S.C. § 3553(a) counsel for Defendant will be requesting a downward variance from the applicable guideline range as stated in the PSR.

Dated: December 2, 2020

Respectfully submitted,

/s/ Michael Hufty

Michael Hufty, #64925MO
Niehoff and Hufty, LLC
818 Lafayette Ave
St. Louis, Missouri 63104
Telephone: (314) 737-1440

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing document was served on the United States Attorney's Office this 2nd day of December, 2020 via the Court's electronic filing system.

/s/ Michael Hufty
Michael Hufty